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REMARKS

Figure 12 of the drawings have been corrected to conform to the amended disclosure (see hereinbelow) in which reference numeral "140" has been replaced by reference numeral "141" to comply with 37 CFR 1.84(p)(4); thereby avoiding the confusion with the reference numerals "140" of Figure 8. No new subject matter has been added.

The abstract of the disclosure and the disclosure have been revised and amended to conform the same to the amended claims and drawings and to correct minor errors. More specifically, the reference numeral "140" designating the connecting component (from page 30, line 21 to page 31, line 20 of the pending disclosure) has been replaced by reference numeral "141" to avoid the confusion with the reference numeral "140" designating the closing component (see page 27, line 21 of the pending disclosure). No new subject matter has been added.

It has been noted that claims 11 and 14-16 were found to disclose allowable subject matter by the Examiner.

The claims have been amended to better clarify the present invention to overcome the Examiner's rejections under 35 U.S.C. 103(a), and to improve the idiom. No new subject matter has been added.

Rejection under 35 U.S.C. 103(a)

Reconsideration of the rejections of claims 1-10, 12, 13 and 17-31 under 35 U.S.C. 103(a) as being unpatentable over Davis et al. (US Pat. 5,540,169) in view of Leverton (US Pat. 3,878,803) is respectfully requested for the following reasons.

Re claim 1: It is respectfully submitted that Davis et al., or any other cited art, do not disclose or even suggest a pontoon that comprises:

- a plurality of generally elongated shell segments, each shell segment being made out of a generally rigid material. Each shell segment defines a pair of generally opposed segment longitudinal ends; at least one segment longitudinal end is a segment connecting end. Each shell segment has a segment peripheral wall surrounding a segment inner volume and defines at least one end aperture extending into the segment inner volume from the segment connecting end. The shell segments connect to each other with a male-female engagement into an end-to-end configuration to form a generally elongated shell. The shell defines a shell longitudinal axis extending through the plurality of shell segments. The male-female engagement includes a male segment connecting end connectable to an adjacent female segment connecting end; the female segment connecting end is a longitudinal end portion of the segment peripheral wall;

- a filling component positioned within the segment inner volumes is made out of a generally buoyant material. The filling component is slidably and successively insertable through the at least one end apertures in a direction generally along the shell longitudinal axis and towards the corresponding opposed segment longitudinal end. The volume of the filling component is such that the combination of the shell and the filling component forms a generally buoyant combination. (Emphasis added)

More specifically, Davis et al. disclose a pontoon that includes a plurality of closed shell segments connected to each other with male and female connecting ends. The male connecting end is a protrusion extending longitudinally outwardly from a closed end wall of the segment. The female connecting end is an inward cavity formed into a closed end wall of the segment; as opposed to being formed by an end portion of the peripheral wall of the segment. Davis et al.'s segment is closed, sealed buoyant and therefore, do not

have (or even need) any end aperture extending into a segment inner volume fillable by a buoyant filling component. (Emphasis added)

On the other hand, Leverton discloses the use of empty beer cans 60 inserted into a sealable hollow cylindrical container 51 to provide rigidity and strength to the container while substantially maintaining its buoyancy because of the light weight of the empty beer cans (see col. 1, lines 25-26; col. 3, lines 31-33) (although it is slightly reduced in reality; the buoyancy would be lost if the container ever looses its sealing characteristic at its end caps 54). (Emphasis added)

Accordingly, it is respectfully believed that it would not have been obvious to a person of ordinary skill in he art at the time the invention was made to form the device of Davis et al. with a slidably insertable filling component with end caps as taught by Leverton to obtain the pontoon of above amended claim 1 with a male-female engagement between segments in which the female connecting end is a longitudinal end portion of the segment peripheral wall. Moreover, there is absolutely no motivation in Davis et al. and Leverton (or any other cited art) for their combination toward the teachings of the present invention and for doing so. (Emphasis added)

Re claim 21: It is respectfully submitted that Davis et al., or any other cited art, do not disclose or even suggest a shell for pontoon that comprises: a generally elongated shell segment being made out of a generally rigid material. The shell segment defines a shell longitudinal axis and has a segment peripheral wall that extends between a pair of generally opposed longitudinal segment closing ends and surrounds a shell inner volume. The shell segment has a longitudinal throat section located intermediate the segment closing ends. The shell segment is dividable in a direction generally transverse to the shell longitudinal axis at a location adjacent said throat section into at least two longitudinal sections with a respective end aperture extending into respective

shell inner volume so as to allow the shell inner volumes to be at least partially fillable by a filling component. (Emphasis added)

Accordingly, it is respectfully believed that it would not have been obvious to a person of ordinary skill in he art at the time the invention was made to form the shell of Davis et al. with a throat section (not taught by any prior art), the shell being transversely dividable at a location adjacent the throat section, and a shell inner volume for receiving a slidably insertable filling component therein as taught by Leverton to obtain the pontoon shell of above amended claim 21. Moreover, there is absolutely no motivation in Davis et al. and Leverton (or any other cited art) for a pontoon shell of the present invention. (Emphasis added)

Re claims 2-10, 12, 13, 17-20 and 22-31: Amended dependent claims 2-10, 12, 13, 17-20 and 22-31 are respectfully believed to patentably distinguish the invention over the prior art cited by the Examiner for the similar reasons set out above with respect to claims 1 and 21, since they respectively depend thereon.

Furthermore, re claim 8, Davis et al. do not disclose a channel (longitudinal recess) at the bottom of the pontoon but a keel (longitudinal protrusion), which is totally different. Re claim 9, item 40 of Davis et al. is a gusset plate located at predetermined locations to break between the channel webs of an aluminum beam 36 against the under sides of the transverse deck beams 38; and not a longitudinal flange extending from the shell peripheral wall. (Emphasis added)

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Applicant respectfully submits that, in the Office Action, the Examiner failed to address the specific limitation features of claims 5, 6, 10, 17-20, 22-26, and 29 in his rationale of the basis for the obviousness rejections (*In re Thrift*, Fed. Cir.; 08-09-2002). Even if some of these limitations could ever be present in the prior art, Applicant respectfully submits that there is no teaching or suggestion supporting any combination thereof to obtain the present invention.

Claims 1, 4, 6-21, and 23-31 should be found, as now amended, clearly allowable over the art cited by the Examiner.

Based on the above, it is believed that the present application is now in condition for allowance and a favorable action is solicited.

Respectfully submitted,

Paul TREPANIER, Applicant

Encl.: Replacement sheet of Figure 12 of the Drawings (1 page)

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